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Dated: 10/7/05 Signature: Valerie J. Sarosky
(Valerie J. Sarosky)

Docket No.: BIDM-P01-014
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
John V. Frangioni

Application No.: 10/521066

Confirmation No.: 6848

Filed: January 11, 2005

Art Unit: Not Yet Assigned

For: CONJUGATED INFRARED FLUORESCENT
SUBSTANCES FOR DETECTION OF CELL
DEATH

Examiner: Not Yet Assigned

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements – Filing Date Granted mailed August 9, 2005, Applicant respectfully submits a Combined Declaration and Power of Attorney and Part 2 Copy of Notice.

Please charge our Deposit Account No. 18-1945 in the amount of \$65.00 covering the fee set forth in 37 CFR 1.16(f). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. BIDM-P01-014. A duplicate copy of this paper is enclosed.

Dated: October 7, 2005
10/17/2005 ATRAN1 00000166 181945 10521066
01 FC:2617 65.00 DA

Respectfully submitted,

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/521,066	John V Frangioni	BIDM-P01-014
		INTERNATIONAL APPLICATION NO.
		PCT/US03/21478
		LA. FILING DATE PRIORITY DATE
		07/10/2003 07/12/2002
CONFIRMATION NO. 6848		
371 FORMALITIES LETTER		
 *OC000000016715091*		

Date Mailed: 08/09/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/11/2005
- Copy of the International Search Report filed on 01/11/2005
- Preliminary Amendments filed on 01/11/2005
- U.S. Basic National Fees filed on 01/11/2005
- Priority Documents filed on 01/11/2005

Ropes & Gray

Symbol #: BIDM-P01-614

Action Due: Missing Requirements

Deadline(s): Oct 9; Nov 9, 2006 - Final

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a):

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,066	PCT/US03/21478	BIDM-P01-014

FORM PCT/DO/EO/905 (371 Formalities Notice)